

REMARKS

1. Applicant has rewritten the claims to address the §112 rejections thereof.

2. The claims stand rejected as obvious over Shiue in view of Evans. Applicant traverses.

One of the unique elements of the structure of the present invention is the hemispherical lid affixed to the top end. This shape forms a pocket to trap air to increase buoyancy of the upper end of the snorkel. This buoyancy urges the snorkel toward an upright position while in use.

Another distinguishing characteristic of the device of the present invention is the partition element 23. This element separates the lid from the head body. The grooves in the partition element help to guide air and water flow within the snorkel.

In order to render obvious claims, the prior art must disclose or indicate all the elements of the claims. In this instance, there is no reference in the cited prior art that teaches a hemispherical cap or a partition element as are claimed in the present claims. Accordingly, the prior art cannot be said to render obvious the present claims.

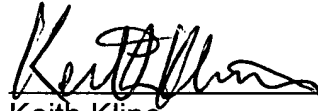
In light of the above amendments and remarks, Applicant now asserts that all of the grounds for rejection have been traversed or overcome by amendment, and that all of the present claims are in condition for immediate allowance. Applicant therefore requests reconsideration of the objections and rejections, and solicits allowance of the present claims at an early date.

Thank you for your consideration.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Keith Kline', written over a horizontal line.

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